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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION

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14 ANGELICA M. AVILA,
15 Plaintiff,
16 v.
17 KILOLO KIJAKAZI,
18 Acting Commissioner of Social Security,
19 Defendant.

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21 No. 1:21-cv-01283-JLT-BAM

22 CORRECTED STIPULATION AND PROPOSED
23 ORDER FOR EXTENSION OF TIME TO FILE
24 DEFENDANT'S RESPONSE TO PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT

25 The parties stipulate through counsel that Defendant, the Acting Commissioner of Social
26 Security (the "Commissioner"), shall have a first extension of 45 days to respond to Plaintiff's
27 Motion for Summary Judgment ("Motion") (Docket Number 23), extending the date on which
Defendant's response is due from September 19, 2022, to November 3, 2022. The parties seek a
corrected order granting the stipulation, as counsel for Defendant previously mistakenly included
the incorrect date in the proposed order. The undersigned attorney for Defendant apologizes for
this oversight.

1 Defendant needs more time to respond to Plaintiff's Motion because the undersigned
2 attorney was recently reassigned to this case, after Plaintiff had already filed her Motion, and
3 needs more time review the record, evaluate the issues raised in Plaintiff's Motion, determine
4 whether options exist for settlement, and if not, prepare Defendant's Opposition to Plaintiff's
5 Motion. In addition, the undersigned attorney for Defendant currently has three briefs due over
6 the next one-week period, including Defendant's Opposition in this case, and a total of eight
7 district court briefs due over the next four weeks.

8 Due to the overall volume of work within the Commissioner's Region IX Office of
9 General Counsel, neither the undersigned attorney nor another attorney in the Region IX Office
10 anticipate being able to review and respond to Plaintiff's Motion by the current due date.
11 Accordingly, the Commissioner respectfully requests an extension of 45 days, until November 3,
12 2022, to respond to Plaintiff's Motion.

13 This request is made in good faith and is not intended to delay the proceedings in this
14 matter.

19 PHILLIP A. TALBERT
20 United States Attorney
21 MATHEW W. PILE
Associate General Counsel
Social Security Administration

22 DATE: September 19, 2022 By /s/ Elizabeth Landgraf
23 ELIZABETH LANDGRAF
24 Special Assistant United States Attorney
Attorneys for Defendant

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ORDER

Pursuant to the parties' corrected stipulation, Defendant shall have an extension, up to and including November 3, 2022, to respond to Plaintiff's Motion for Summary Judgment. All other deadlines in the Court's Scheduling Order are modified accordingly.

IT IS SO ORDERED.

Dated: September 20, 2022

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE